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ATEKCITY CORPORATION
17 and VESYNC CORPORATION

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20
21 SHIRLEY CASTILLO and KADEN GEIGER,
individually and on behalf of all others similarly
22 situated,

23 Plaintiffs,

24 v.

25 ATEKCITY CORPORATION and VESYNC
CORPORATION

26 Defendants.

Case No. 4:24-cv-00176-YGR

**STIPULATION TO TRANSFER
ACTION TO THE CENTRAL
DISTRICT OF CALIFORNIA**

Judge: Hon. Yvonne Gonzalez Rogers
Date Action Filed: 1/9/2024

1 Plaintiffs Shirley Castillo and Kaden Geiger (“Plaintiffs”), and Defendants Atekcity
2 Corporation and Vesync Corporation (“Defendants”), by and through their respective counsel of
3 record, stipulate to and jointly request the transfer of this action to the United States District Court
4 for the Central District of California pursuant to 28 U.S.C. § 1404(a) and the first-to-file rule as
5 follows:

6 WHEREAS, on April 5, 2023, plaintiffs Nam Tao and Jeanette Finch filed a putative class
7 action in the Central District of California against Arovast Corporation d/b/a Cosori Corporation,
8 an affiliate of Defendants that is wholly-owned by the same parent company, and arising out of the
9 marketing, distribution, sale, and voluntary recall of certain Cosori-branded models of air fryers,
10 captioned *Tao v. Arovast Corp., d/b/a/ Cosori Corp.*, Case No. 8:23-cv-00599 (C.D. Cal. April 5,
11 2023) (the “*Tao Action*”).

12 WHEREAS, nine months later, on January 9, 2024, Plaintiffs filed this putative class action
13 involving substantially similar allegations arising out of the marketing, distribution, sale, and
14 voluntary recall of Cosori-branded models of air fryers.

15 WHEREAS, subject to the Court’s approval, Plaintiffs and Defendants have agreed to the
16 transfer of this action to the Central, District of California to promote judicial economy and
17 efficiency and because this action and the *Tao Action* implicate substantially the same parties
18 (including overlapping putative classes) and underlying issues. The defendants in both actions are
19 part of the same family of entities collectively responsible for the import, distribution, and sale of
20 the Cosori-branded air fryer models at issue; all of these entities are headquartered within the
21 Central District of California. The *Tao Action* has been pending for nearly a year before the
22 Honorable John W. Holcomb in the United States District Court for the Central District of
23 California, and the parties have already engaged in motion practice. Transfer will allow for the
24 relation of cases and consolidation of discovery and evidence, if appropriate, and will minimize the
25 risk of conflicting rulings or inconsistent judgments in the two matters.

26 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED THAT:

27 This action should be transferred to the United States District Court for the Central District
28 of California.

1 The Parties agree that transfer is without prejudice to any party's right to seek any
2 appropriate relief upon transfer, including but not limited to a motion to stay.

3 The Parties further agree that, because of the anticipated transfer, Defendants' deadline to
4 respond to Plaintiffs' Complaint shall be 30 days from the date this action is reassigned to a Judge
5 in the United States District Court for Central District of California.

6
7 Dated: April 1, 2024

DENTONS US LLP

8
9 By: /s/ Sarah Carlson
Sarah Carlson

10 Attorneys for Defendants
11 ATEKCITY CORPORATION
and VESYNC CORPORATION

12
13 Dated: April 1, 2024

BURSOR & FISHER, P.A

14 By: /s/ L. Timothy Fisher
15 L. Timothy Fisher

16 Attorneys for Plaintiffs
17 SHIRLEY CASTILLO and
KADEN GEIGER

18
19
20 ATTESTATION OF CONCURRENCE IN FILING

21 In accordance with Civil L.R. 5-1(i)(3), I attest the concurrence in the filing of this
22 document has been obtained from the other signatories above.

23
24 Dated: April 1, 2024

By: /s/ Sarah Carlson
Sarah Carlson

CERTIFICATE OF SERVICE

I, Lucy Valdez, certify that I caused to be served upon the following counsel and parties of record a copy of the following document(s):

STIPULATION TO TRANSFER ACTION TO THE CENTRAL DISTRICT OF CALIFORNIA

as indicated/listed on the United States District Court, Northern District of California's CM/ECF registered email list in the above-referenced matter:

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SHIRLEY CASTILLO and
KADEN GEIGER

I certify and declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this Court at whose direction the service was made, and that the foregoing is true and correct.

Executed on April 1, 2024, in San Diego, California.

/s/ Lucy Valdez
Lucy Valdez